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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,379	06/27/2001	Karin Axelsson	1115.40312X00	2564

22907   7590   05/21/2007

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RAMAN, USHA

ART UNIT	PAPER NUMBER
2623	

MAIL DATE	DELIVERY MODE
05/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	09/891,379	AXELSSON ET AL.
	Examiner	**Art Unit**	
	Usha Raman	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 March 2007</u>.

2a)☐ This action is **FINAL.** 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-24 and 26-34* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-24 and 26-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth

in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

March 5th, 2007 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 8, 12 and 19, have been considered

but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-3, 5-7, 10-11, 13, 22-28 and 33-34 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Yuen et al. (WO 97/34414) in view of Van der Vleuten (US

Pat. 6,460,183)

     As for Claim 1, Yuen teach an electronic program guide system associated

with a broadcast receiver in a broadcast system (see fig. 2 and page 1 lines 7-9),

said electronic program guide system comprising:

Receiving means (television receiver) for receiving at least one electronic

program guide corresponding to the broadcast system (see Yuen: fig. 7, page 1,

lines 7-9);

First display generation means (CPU 24, Video processor 30) for generating

display of said electronic program guide in a first display area (46) of a display unit

associated with said broadcast receiver. See fig. 2, page 5, lines 9-12.

Selecting means (remote control 50) for selecting a desired program from

said electronic program guide (see page. 6 lines 26-28)

Setting means (CPU 24 controls tuner 11 to receive a selected program) for

controlling of the associated broadcast receiver to set to the selected program (see

page. 5 lines 16-33)

Second display generation means (PIP chip 19) for generating display during

browsing of the EPG (see page 5, lines 23-30) of the selected program (highlighted

by cursor 48) in a second display area (42) of the display unit (see pg. 5 lines 16-33)

wherein:

Additional program selection (browsing selection by highlighting up/down

keys) causes setting the broadcast receiver to the selected program (see page 5,

lines 23-30) and display of the additionally selected programs in the second display

area.

Yuen comprises a third display generation means for displaying a third

display area for displaying a 'last channel' to allow a user to go back to the last

channel stored in a register. Yuen also discloses that a user can select (by

highlighting) one or more programs in the program guide in the 'SURF' mode,

wherein the selection causes setting of the tuner to the selected programs. See

page 5, lines 23-26. Yuen however does not disclose storing parameters identifying

the one or more selected programs to a list or the step of displaying the list of

selected programs.

In a similar field of endeavor, Van Der Vleuten discloses the step of storing

parameters identifying one or more selected programs to enable user easy access

to previous selected channels (see abstract, column 3 lines 26-32, lines 46-47,

column 6, lines 23-29) and further discloses the step of displaying such a list to the

user using on-screen menus to enable to go back to one of the previously selected

channels (see column 5, lines 58-63).

Therefore it would have been obvious to one of ordinary skill in the art at the

time to modify the system of Yuen in view of Van Der Vleuten by storing parameters

identifying one or more selected programs in a history list and displaying such a

history list to the user in a third display area, to provide the user easy access to

previously selected channels.

As for Claim 22, Yuen et al. teach a method for browsing programs selected

for display in a second display area of an electronic program guide system

associated with a broadcast receiver (see fig. 2 and page 1 lines 7-9) comprising

steps of:

Receiving at least one electronic program guide corresponding to a broadcast

system (see fig. 7 unit 20 TV)

Generating display of at least one program guide in a first display area of the display unit (see page 4, lines 36-37) associated with a broadcast receiver (fig. 1 and 2).

Yuen discloses that a user can select (by highlighting) one or more programs in the program guide in the 'SURF' mode, wherein the selection causes setting of the display of the selected programs. See page 5, lines 23-26 and figure 2. Yuen therefore discloses the step of selection of a desired program by highlighting the program in the guide, tuning to the highlighted program and generating display of the selected program during browsing of the EPG in a second display area 42.

Yuen however does not disclose storing parameters identifying the one or more selected programs to a list or the step of displaying the list of selected programs.

In a similar field of endeavor, Van Der Vleuten discloses the step of storing parameters identifying one or more selected programs to enable user easy access to previous selected channels (see abstract, column 3 lines 26-32, lines 46-47, column 6, lines 23-29) and further discloses the step of displaying such a list to the user using on-screen menus to enable to go back to one of the previously selected channels (see column 5, lines 58-63).

Therefore it would have been obvious to one of ordinary skill in the art at the time to modify the system of Yuen in view of Van Der Vleuten by storing parameters identifying one or more selected programs in a history list and displaying such a

history list to the user in a third display area, to provide the user easy access to previously selected channels.

As for Claims 2, and 23 Yuen teaches the step of selecting data from the third display area that causes tuning and display of the selected program on the second display area (see page 9, lines 10-13). Van der Vleuten further teaches the step of selecting from a stored list of presets (parameters) of previously selected programs (see column 3, lines 41-45 and lines 26-28).

As for Claims 3, and 24, the modified system comprises a second input means allowing selection of the program currently being displayed in the second display area of the display unit for full screen display (see Yuen page 5, lines 29-33).

As for Claims 5, and 26, the modified system comprises first input means that allows for stepwise sequential selection of the stored parameters using forward/backward buttons (see Van der Vleuten column 3, lines 41-55).

As for Claims 6, and 27, Yuen teaches the step of selecting data from the third display area that causes tuning and display of the selected program on the second display area (see page 9, lines 10-13). Van der Vleuten further teaches the step of selecting from a stored list of previously selected programs (see column 3, lines 41-45 and lines 26-28).

As for Claims 7, and 28, the modified system comprises means for allowing selection of the program being displayed in the second display area, wherein the selection causes full screen displayed of the selected program on the display unit (see Yuen: page 5, lines 29-33 and page 8, lines 9-11).

As for Claims 10, and 13, Yuen discloses that the electronic program guide system is incorporated in an integrated receiver decoder (TV receiver). See fig. 1 and pg. 4 line 25.

As for Claim 11, the modified system teaches said electronic program guide system is incorporated in a television receiver. Examiner takes official notice that set top boxes are well known form of TV receivers the art, for receiving CATV signals and EPG information. It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the system to include a set top box receiver so that the viewer can receiver CATV signals and related EPG info.

As for Claim 33, all the limitations of Claim 33 fall within the limitations of Claim 1. The limitations of claims 33 are analyzed and rejected as discussed above with reference to Claim 1. Claim 33 further requires a computer program product stored on a computer readable storage medium, comprising computer readable program code means for causing a computer to perform the limitations of the claim. The limitation of the computer program product is met by the programmed microprocessor (see Yuen Fig. 1 unit 24 and pg. 4 lines 27-28).

As for Claim 34, all the limitations of Claim 34 fall within the limitations of Claim 1. The limitations of claims 34 are analyzed and rejected as discussed above with reference to Claim 1. Claim 34 further requires a computer program product directly loadable into the internal memory of a digital computer comprising source code portions for performing the limitations of the claim when said product is run on

a computer. The limitation of the computer program product is met by the

programmed microprocessor (see Yuen Fig. 1 unit 24 and pg. 4 lines 27-28).

5.   Claims 8-9, 15-18, 20 and 29-32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Yuen et al. (WO 97/34414) in view of Van der Vleuten (US Pat.

6,460,183) and further in view of Ellis et al. (US Pat. 5,986,650).

     As for Claim 8, Yuen et al. in view of Van der Vleuten do not expressly teach

a timer means, wherein said timer means is activated upon program selection and

causes tuning and display of the selected program in the second display area of the

display unit for a predetermined time and renewed tuning and display of the

previously selected program in the second display area of the display unit upon

elapse of the predetermined time.

     In the similar field of endeavor, Ellis discloses activating a scanning operation,

that can perform a channel-wise browse of a favorite channel list in a direction

provided (forward/backward, up/down) by the user. See (paragraph 73). In the

scanning mode, each channel of the favorite list that is tuned to, causes a timer to

be activated and after a predetermined time (set by the user, see fig. 6) that has

elapsed according to the timer, tunes to the next channel on the list.

     It would have been obvious to one of ordinary skill in the art to further modify

the system of with teachings of Ellis, by adding a scanning feature to brose the

history list backwards, thereby enabling the user to traverse back to all the selected

channels of the history list in an automatic fashion.

As for Claim 9, the modified system comprises a fifth input means for allowing selection of the program being displayed in the second display area, wherein the selection causes full screen displayed of the selected program on the display unit (see Yuen: page 5, lines 29-33 and page 8, lines 9-11.

As for Claim 15, Yuen teach an electronic program guide system associated with a broadcast receiver in a broadcast system (see fig. 2 and page 1 lines 7-9), said electronic program guide system comprising:

Receiving means (television receiver) for receiving at least one electronic program guide corresponding to the broadcast system (see Yuen: fig. 7, page 1, lines 7-9);

First display generation means (CPU 24, Video processor 30) for generating display of said electronic program guide in a first display area (46) of a display unit associated with said broadcast receiver. See fig. 2, page 5, lines 9-12.

Selecting means (remote control 50) for selecting a desired program from said electronic program guide (see page. 6 lines 26-28)

Setting means (CPU 24 controls tuner 11 to receive a selected program) for controlling of the associated broadcast receiver to set to the selected program (see page. 5 lines 16-33)

Second display generation means (PIP chip 19) for generating display during browsing of the EPG (see page 5, lines 23-30) of the selected program (highlighted by cursor 48) in a second display area (42) of the display unit (see pg. 5 lines 16-33)

Yuen comprises a third display generation means for displaying a third

display area for displaying a 'last channel' to allow a user to go back to the last

channel stored in a register. Yuen also discloses that a user can select (by

highlighting) one or more programs in the program guide in the 'SURF' mode,

wherein the selection causes setting of the tuner to the selected programs. See

page 5, lines 23-26. Yuen however does not disclose storing parameters identifying

the one or more selected programs to a list or the step of displaying the list of

selected programs. Yuen further fails to disclose a timer means, wherein the timer

means is activated upon additional program selection and causes setting and

display of the previously selected program upon elapse of the predetermined time.

In a similar field of endeavor, Van Der Vleuten discloses the step of storing

parameters identifying one or more selected programs to enable user easy access

to previous selected channels (see abstract, column 3 lines 26-32, lines 46-47,

column 6, lines 23-29) and further discloses the step of displaying such a list to the

user using on-screen menus to enable to go back to one of the previously selected

channels (see column 5, lines 58-63).

Ellis further discloses activating a scanning operation, that can perform a

channel-wise browse of a favorite channel list in a direction provided

(forward/backward, up/down) by the user. See (paragraph 73). In the scanning

mode, each channel of the favorite list that is tuned to, causes a timer to be

activated and after a predetermined time (set by the user, see fig. 6) that has

elapsed according to the timer, tunes to the next channel on the list.

Therefore it would have been obvious to one of ordinary skill in the art at the time to modify the system of Yuen in view of Van Der Vleuten by storing parameters identifying one or more selected programs in a history list and displaying such a history list to the user in a third display area, to provide the user easy access to previously selected channels. It would have been obvious to one of ordinary skill in the art to further modify the system of with teachings of Ellis, by adding a scanning feature to brose the history list backwards, thereby enabling the user to traverse back to all the selected channels of the history list in an automatic fashion.

As for Claim 16, the modified system comprises a fifth input means for allowing selection of the program being displayed in the second display area, wherein the selection causes full screen displayed of the selected program on the display unit (see Yuen: page 5, lines 29-33 and page 8, lines 9-11.

As for Claims 17, and 20 Yuen discloses that the electronic program guide system is incorporated in an integrated receiver decoder (TV receiver). See fig. 1 and pg. 4 line 25.

As for Claim 18, the modified system teaches said electronic program guide system is incorporated in a television receiver. Examiner takes official notice that set top boxes are well known form of TV receivers the art, for receiving CATV signals and EPG information. It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the system to include a set top box receiver so that the viewer can receiver CATV signals and related EPG info.

With regards to claim 29, Yuen et al. in view of Van der Vleuten do not expressly teach a timer means, wherein said timer means is activated upon program selection and causes tuning and display of the selected program in the second display area of the display unit for a predetermined time and renewed tuning and display of the previously selected program in the second display area of the display unit upon elapse of the predetermined time.

In the similar field of endeavor, Ellis discloses activating a scanning operation, that can perform a channel-wise browse of a favorite channel list in a direction provided (forward/backward, up/down) by the user. See column 17, lines 32-40. In the scanning mode, each channel of the favorite list that is tuned to, causes a timer to be activated and after a predetermined time (set by the user, see fig. 6) that has elapsed according to the timer, tunes to the next channel on the list.

It would have been obvious to one of ordinary skill in the art to further modify the system of with teachings of Ellis, by adding a scanning feature to brose the history list backwards, thereby enabling the user to traverse back to all the selected channels of the history list in an automatic fashion.

With regard to claim 30, the modified system discloses auto-scanning through each channel of the history list of pre-determined time. At the end of the scan, the last channel that was scanned is displayed (see Ellis: column 15, lines 1-3). If the user exits the guide-mode (as taught by Yuen), this channel is displayed in full screen. See Yuen: page 5, lines 29-33.

As for Claim 31, all the limitations of Claim 31 fall within the limitations of Claims 1 and 15. The limitations of claims 31 are analyzed and rejected as discussed above with reference to Claims 1 and 15.

As for Claim 32, all the limitations of Claim 32 fall within the limitations of Claim 16. The limitations of claims 32 are analyzed and rejected as discussed above with reference to Claim 16.

6. Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al. (WO 97/34414) in view of Van der Vleuten (US Pat. 6,460,183) and further in view of Margulis (US Pat. 6,236,503).

As for Claims 12 and 14, Yuen et al. do not expressly teach said electronic program guide system is incorporated in a mobile handset and/or mobile display appliance. However, in the same field of endeavor, Margulis provides a system for outputting media signals wirelessly portable display device such as a PDA for flexible viewing at variable remote locations. See abstract, column 5, lines 25-34.

It would have been obvious to further modify the system in view of Margulis teachings by providing a portable display unit (i.e. mobile handset) in order to provide a viewer flexibility in viewing video signals at variable remote locations.

7. Claims 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al. (WO 97/34414) in view of Van der Vleuten (US Pat. 6,460,183) and Ellis et al. (US Pat. 5,986,650) and further in view of Margulis (US Pat. 6,263,503).

As for Claims 19 and 21, the modified system does not expressly teach said electronic program guide system is incorporated in a mobile handset and/or mobile

display appliance. However, in the same field of endeavor, Margulis provides a system for outputting media signals wirelessly portable display device such as a PDA for flexible viewing at variable remote locations. See abstract, column 5, lines 25-34.

It would have been obvious to further modify the system in view of Margulis teachings by providing a portable display unit (i.e. mobile handset) in order to provide the viewer flexibility in viewing video signals at variable remote locations.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usha Raman whose telephone number is (571) 272-7380. The examiner can normally be reached on Mon-Fri: 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

UR

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PRIMARY PATENT EXAMINER